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| TRANSMITTAL FORM (to be used for all correspondence after initial filing) | Application Number | 10/727,009 | |
| | Filing Date | December 2, 2003 | |
| | First Named Inventor | Argueta-Diaz | |
| | Art Unit | 2873 | |
| | Examiner Name | Loha Ben | |
| Total Number of Pages in This Submission | 6 | Attorney Docket Number | 18525.04070 |

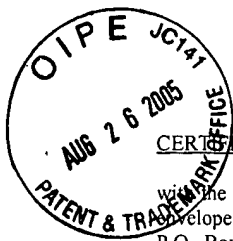
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| SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT | |
|--|----------------|
| Firm or Individual name | Alan C. Brandt |
| Signature | |
| Date | 24 August 2005 |
| Customer Number | 24024 |

| CERTIFICATE OF TRANSMISSION/MAILING | |
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| Typed or printed name | Miranda S. Miller |
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Signed: _____

Miranda S. Miller

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

| | | |
|--|---|----------------------------------|
| In re Application of: Victor Argueta-Diaz |) | Examiner: Loha Ben |
| |) | |
| Serial No.: 10/727,009 |) | Group Art Unit: 2873 |
| |) | |
| Filed: December 2, 2003 |) | Confirmation No.: 4506 |
| |) | |
| For: METHOD AND APPARATUS FOR COMBINING OPTICAL BEAMS |) | Attorney Docket No.: 18525.04070 |

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COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE

Dear Sir:

The applicant gratefully acknowledges the indication as to the allowance of the present application.

However the applicant respectfully submits that the Statement of Reasons for Allowance are, in and of themselves, inappropriate. It is noted that reasons for allowance are only warranted in instances in which "the record of the prosecution as a whole does not make clear his or her reasons for allowing a claim or claims." (37 CFR §1.104(e)). In the present case, the applicant believes the record as a whole does make the reasons for allowance clear and, therefore, no statement by the Examiner is necessary or warranted. Furthermore, the applicant does not necessarily agree with each statement in the reasons for allowance.

Specifically, it has been indicated that the claims are allowed by importing interpretations into the claims in relation to the prior art that results in a potential imprecise and/or inaccurate understanding of the reasons. This places an unwarranted interpretation upon the claims. Such a characterization of

the claims does not properly take into account the applicant's claimed invention as reflected in the specification and the applicant's responses to the Examiner's office actions.

Therefore, while the applicant believes the claims are allowable, the applicant does not acquiesce that patentability resides in only the features, exactly as expressed in the claims, nor that each feature is required for patentability.

Respectfully submitted,

Date: 24 August 2005

Alan C Brandt
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